

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK

-----X
AGENCE FRANCE PRESSE,

Plaintiff,

- against -

DANIEL MOREL,

Defendant,

- against -

GETTY IMAGES (US), INC., AGENCE FRANCE
PRESSE, ET AL.,

Counterclaim Defendants. :
-----X

FILED ELECTRONICALLY

10 Civ. 2730 (AJN)(FM)

ECF CASE

**NOTICE OF MOTION FOR
JUDGMENT AS A MATTER OF
LAW, NEW TRIAL, AND/OR
REMITTITUR**

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and the Declaration of Meaghan H. Kent, with its attached excerpts of the trial transcript, as well as the testimony and evidence adduced at trial, defendants Getty Images (US), Inc. (“Getty Images”) and Agence France Presse (“AFP”) (collectively, “Defendants”) hereby respectfully move for an order pursuant to Fed. R. Civ. P. 50 and 59(a) for judgment as a matter of law and/or a new trial or remittitur on the jury verdict: (i) finding that AFP and Getty Images were liable for willful copyright infringement; (ii) finding that AFP and Getty Images violated §§ 1202(a) and (b) of the Digital Millennium Copyright Act (“DMCA”); (iii) awarding plaintiff Daniel Morel (“Morel”) \$20,000 for the aforesaid DMCA violations; and (iv) awarding Morel the maximum statutory damages in a total amount of \$1,200,000 for willful copyright infringement of the eight photographs at issue.

Pursuant to Local Civil Rule 6.1(b), unless otherwise ordered by the Court, answering papers shall be due in 14 days, any reply papers shall be due within seven days of service of the

answering papers, and any oral argument as the Court may deem appropriate will be set upon the Court's notice.

Dated: New York, New York
January 7, 2014

Respectfully submitted,

By: /s/Joshua J. Kaufman
Joshua J. Kaufman
Meaghan H. Kent
Elissa B. Reese
Matthew Farley

VENABLE LLP
575 7th Street, N.W.
Washington, DC 20004-1601
Telephone: (202) 344-4000
Fax: (202) 344-8300

Counsel for Defendant Agence France Presse

By: /s/Marcia B. Paul
Marcia B. Paul
James Rosenfeld
Deborah Adler
Samuel M. Bayard

DAVIS WRIGHT TREMAINE LLP
1633 Broadway 27th floor
New York, New York 10019
Telephone: (212) 489-8230

Counsel for Defendant Getty Images (US), Inc.